

**MINUTES**  
**COMMITTEE ON LAW & LICENSING**

**October 20, 2011 - 5:00 p.m.**  
**Common Council Chambers, City Hall**

**Members Present:** Chairperson Ald. Jodi VanderWeele, Vice Chairperson Ald. Julie Kath, Ald. Joel Hammen  
**Excused:** Ald. Scott Versey  
**Others in Attendance:** Assistant City Attorney Charles Adams, Lt. Scott Mittelstadt, Keith F. Fischer, Jessica M. McKinster, Nathan B. TenPas, Kyle T. Cure, Johnathan J. Dergantz, Dennis D. Guernsey, Lee K. Miller, Megan R. Stadler, Kerry E. Goedeke, Rufino C. Martinez, Jr., Kathy Martinez

Chairperson VanderWeele called the meeting to order at 5:00 p.m.

The Pledge of Allegiance was recited.

Introduction of committee members, staff and guests.

A motion to approve the minutes of the previous meeting held October 6, 2011 was made by Ald. Kath and seconded by Ald. Hammen. **All ayes; motion approved.**

**Possible action regarding Alc. Bev. Lic. No. 2193-The Kaddyshack LLC (Keith F. Fischer, Agent)**

Keith F. Fischer appeared before the committee. Lt. Mittelstadt provided the committee with details regarding the disturbance and read aloud portions of the police report. Mr. Fischer indicated that he did not feel that the allegations regarding Kristin Fischer's behavior warranted any action by the committee. The committee explained that it is important for bar employees to be cooperative with the police whenever they are called to an establishment. Ald. Kath moved, seconded by Ald. Hammen, to issue a warning to The Kaddyshack LLC regarding the August 15th incident. **All ayes; motion approved.**

**R.O. No. 199-11-12 (12-47) – Various License Applications: Bev. Op. Lic. App. Nos. 6547 (Jessica M. McKinster), 9082 (Nathan B. TenPas); Taxicab Driver Lic. App. Nos. 6409 (Kyle T. Cure), 9326 (Johnathan J. Dergantz)**

Submitting various license applications for the period ending June 30, 2012 and June 30, 2013.

Jessica M. McKinster appeared before the committee to discuss her application. After discussion of her record and her failure to include a violation on her application, Ald. Hammen moved, seconded by Ald. Kath, to grant the license contingent upon the application being corrected, and with a warning to include all relevant information on future applications. **All ayes; motion approved.**

Nathan B. TenPas appeared before the committee to discuss his application. After discussion of his record and his failure to include violations on his application, Ald. Kath moved, seconded by Ald. Hammen, to grant the license contingent upon the application being corrected, and with a warning to include all relevant information on future applications. **All ayes; motion approved.**

Kyle T. Cure appeared before the committee to discuss his application. After discussion of his record and his failure to include violations on his application, Ald. Kath moved, seconded by Ald. Hammen, to deny the license application. Following further discussion, Ald. Kath and Ald. Hammen withdrew their motion and second. Ald. Hammen then moved, seconded by Ald. Kath, to hold this license application until the next meeting and invite Mr. Cure to appear at that meeting. **All ayes; motion approved.** Mr. Cure indicated that he will ask his social worker to also be present at that meeting.

Johnathan J. Dergantz appeared before the committee to discuss his application. After discussion of his record and his failure to include violations on his application, Ald. Kath moved, seconded by Ald. Hammen, to grant the license contingent upon the application being corrected, and with a warning to include all relevant information on future applications. **All ayes; motion approved.**

**R.O. No. 216-11-12 (13-39) – Various License Applications: Bev. Op. Lic. App. Nos. 3784 (Dennis D. Guernsey), 9331 (Lee K. Miller), 8415 (Kaletha L. Polzin), 9339 (Megan R. Stadler)**  
Submitting various license applications for the period ending June 30, 2012 and June 30, 2013.

Dennis D. Guernsey appeared before the committee to discuss his application. After discussion of his record and his failure to include a violation on his application, Ald. Kath moved, seconded by Ald. Hammen, to grant the license contingent upon the application being corrected, and with a warning to include all relevant information on future applications. **All ayes; motion approved.**

Lee K. Miller appeared before the committee to discuss her application. After discussion of her record and her failure to include violations on her application, Ald. Kath moved, seconded by Ald. Hammen, to deny the license application based upon her failure to accurately reveal all relevant convictions on her application and her record of violations related to the licensed activity. **All ayes; motion approved.**

Kaletha L. Polzin failed to appear before the committee. Ald. Kath moved, seconded by Ald. Hammen, to request via certified mailing Ms. Polzin's appearance before the committee at its November 10th meeting. **All ayes; motion approved.**

Megan R. Stadler appeared before the committee to discuss her application. After discussion of her record and his failure to include violations on her application, Ald. Kath moved, seconded by Ald. Hammen, to deny the license application based upon her failure to accurately reveal all relevant convictions on his application and her record of violations related to the licensed activity. **All ayes; motion approved.**

**R.O. No. 86-11-12 (6-43) – Various License Applications: Taxicab Driver Lic. App. No. 9163 (Noemy Loya)**

Submitting various license applications for the period ending June 30, 2012 and June 30, 2013.

Noemy Loya still has not provided a valid social security number to the City Clerk's Office. Ald. Hammen moved, seconded by Ald. Kath, to hold this license application until Ms. Loya presents a valid social security number to the City Clerk's Office. **All ayes; motion approved.**

**Possible action regarding Alc. Bev. Lic. No. 2135-Sandee's Cool Runnings (Kerry E. Goedeke, Agent)**

Kerry E. Goedeke appeared before the committee. Lt. Mittelstadt provided the committee with details regarding the incident at Sandee's bar. Mr. Goedeke insisted that the person who caused the disturbance had not been over-served at Sandee's, but instead had consumed a few drinks at Sandee's before leaving, then was apparently over-served at a nearby establishment before returning to Sandee's. Mr. Goedeke indicated that following the chronic nuisance hearing at the police department, Sandee's is adding security cameras and also lights in their parking lot. Ald. Kath moved, seconded by Ald. Hammen, to issue a warning to Mr. Goedeke regarding the recent incident. **All ayes; motion approved.**

**Possible action regarding Alc. Bev. Lic. No. 2720-Rehab Bar & Grill (Rufino C. Martinez, Jr., Agent)**

Rufino C. Martinez, Jr. and Kathy Martinez appeared before the committee. Lt. Mittelstadt indicated that a chronic nuisance hearing had been held at the police department and Mr. Martinez has been cooperative and indicated he will be implementing some changes at the bar based on that hearing; however, Lt. Mittelstadt doesn't feel that the changes are being made quickly enough. He further indicated that a very serious incident had occurred on October 16th involving a crowd of 75 to 100 people outside the bar which endangered the lone officer who initially responded to the call to police. Ald. Kath moved, seconded by Ald. Hammen, to request that Rehab Bar & Grill voluntarily surrender its license for a period of three (3) consecutive weekend days (Friday, Saturday and Sunday) before November 15, 2011, and inform the City Clerk within seven (7) days of their choice of weekend. **All ayes; motion approved.**

**R.O. No. 233-11-12 (14-46) – Various License Applications**

Submitting various license applications for the period ending June 30, 2012 and June 30, 2013.

Ald. Kath moved, seconded by Ald. Hammen, to grant a license with a warning, contingent upon the application being corrected, to Class "B" Fermented Malt Beverage and Class "C" Wine Lic. App. No. 2867-Geno Nottolini's Pizza (Ignacio Mendiola, Agent). **All ayes; motion approved.**

Ald. Kath moved, seconded by Ald. Hammen, to call in Bev. Op. Lic. App. No. 9357 (Drew E. Kraemer) to discuss his application with the committee. **All ayes; motion approved.**

Ald. Kath moved, seconded by Ald. Hammen, to grant a license with a warning, contingent upon the application being corrected, to Bev. Op. Lic. App. No. 9353 (Thomas J. Phalin-Christman). **All ayes; motion approved.**

Ald. Kath moved, seconded by Ald. Hammen, to call in Bev. Op. Lic. App. No. 9360 (Cheryl A. Volland) to discuss her application with the committee. **All ayes; motion approved.**

Ald. Hammen moved, seconded by Ald. Kath, to grant a license to Bev. Op. Lic. App. No. 8390 (Ashley N. Wiedmeyer). **All ayes; motion approved.**

Ald. Kath moved, seconded by Ald. Hammen, to call in Bev. Op. Lic. App. No. 9362 (Meredith P. Zehner) to discuss her application with the committee. **All ayes; motion approved.**

Ald. VanderWeele moved, seconded by Ald. Kath, to grant a license with a warning, contingent upon the application being corrected, to Taxicab Driver Lic. App. No. 9352 (Diane M. Graminske). **All ayes; motion approved.**

Ald. Kath moved, seconded by Ald. Hammen, to call in Taxicab Driver Lic. App. No. 9365 (Drew M. Jensen) to discuss his application with the committee. **All ayes; motion approved.**

Ald. VanderWeele moved, seconded by Ald. Hammen, to call in Taxicab Driver Lic. App. No. 5635 (Efren Martinez) to discuss his application with the committee. **All ayes; motion approved.**

Ald. Kath moved, seconded by Ald. Hammen, to call in Taxicab Driver Lic. App. No. 8177 (David J. McKenzie) to discuss his application with the committee. **All ayes; motion approved.**

Ald. VanderWeele moved, seconded by Ald. Hammen, to call in Taxicab Driver Lic. App. No. 9351 (Javier F. Yera) to discuss his application with the committee. **All ayes; motion approved.**

Ald. Hammen moved, seconded by Ald. Kath, to call in Taxicab Driver Lic. App. No. 9347 (Samir A. Yessin) to discuss his application with the committee. **All ayes; motion approved.**

Ald. Kath moved, seconded by Ald. Hammen, to grant the remainder of the license applications for individuals and entities listed on the above-referenced R.O. **All ayes; motion approved.**

**Discussion and possible action regarding law violations that may require future action by the Committee**

ACA Adams indicated that he had no such violations to report.

**MATTERS TO BE HELD:**

**Com. No. 12-11-12 (13-11) – Communication from Kathy and Bernie Ross**

Submitting a communication from Kathy and Bernie Ross stating that they are opposed to the approval of any liquor licensing in their area of S. 12th St. as there are too many schools in walking distance including small children.

This communication will be held until a license has been applied for.

Ald. Hammen made a motion to adjourn. Ald. Kath seconded the motion. **All ayes; motion approved.**

There being no further business to come before the committee, the meeting was adjourned at 6:45 p.m.

The next committee meeting is scheduled to be held on November 10, 2011 at 5:00 p.m. in the Common Council Chambers located at City Hall, 828 Center Avenue.